

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

MATTHEW BEAHM, individually and on	§	
behalf of all others similarly situated,	§	Case No. 1:16-CV-00491
	§	
v.	§	JURY TRIAL DEMANDED
	§	
ONE WAY FUNDING, LLC	§	

**NOTICE OF DISMISSAL WITHOUT PREJUDICE AS TO
DEFENDANT ONE WAY FUNDING, LLC PURSUANT TO RULE 41(a)**

COMES NOW, MATTHEW BEAHM ("Plaintiff"), giving notice of voluntary dismissal of ONE WAY FUNDING, LLC ("OWF") without prejudice, and would show as follows:

1. Plaintiff filed his complaint on April 9, 2016.
2. OWF failed to answer or otherwise respond by the response deadline. Accordingly, Plaintiff moved for a clerks default on June 9, 2016. The clerk entered a default on that same day.
3. The parties are in the process of negotiating a resolution of this matter and do not wish to keep this case on the Court's docket.
4. OWF has neither answered Plaintiff's Complaint, nor has OWF filed a motion for summary judgment.
5. Accordingly, pursuant to FED. R. CIV. P 41(a), OWF may be dismissed without prejudice and without an Order of the Court.

Dated: December 5, 2016

Respectfully submitted,

/s/ Jarrett L. Ellzey

Jarrett L. Ellzey

State Bar No. 24040864

William Craft Hughes

HUGHES ELLZEY, LLP

Galleria Tower 1

2700 Post Oak Blvd.

Houston, TX 77056-5767

Tel: 713-554-2377

Fax: 888-995-3335

Email: jarrett@hughesellzey.com

craft@hughesellzey.com

Attorneys for Plaintiffs